Supreme Court, U.S.
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No.

In The

Supreme Court of the United States

October Term, 1999

Gertrude Davis Gorod

Petitioner,

v.

Joseph S. Provanzano &
Provanzano & Associates

Respondents.

Petition For Writ Of Certiorari
To The Massachusetts Supreme Judicial Court

PETITION FOR WRIT OF CERTIORARI

Gertrude Davis Gorod
371 Bryant Street
Malden, Massachusetts 02148
(781) 322-8223

6 pp

ISSUES PRESENTED

I.

Should this Court grant Certiorari to protect the public interest of individuals in Norfolk and Middlesex counties.

The residents of counties Norfolk and Middlesex counties in the state of Massachusetts are being discriminated against by having a different set of court rules for them to abide by, while on the other hand, residents residing in the remaining twelve counties do not have to abide by these court rules.

II.

Should this Court Grant Certiorari when the petitioner's rights set forth in the Massachusetts Rules of Civil Procedure were violated.

Respondent never answered the petitioner's Complaint.

Respondents never produced requested documents.

Respondent, Joseph S. Provanzano failed to answer questions during the taking of his deposition.

III.

United States Constitution Amendment V: states in pertinent part: "cannot be deprived of life, liberty or property without due process of law".

IV.

United States Constitution Amendment XIV: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, and citizens of the United States and of the State wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States nor shall any state deprive any person of life, liberty or property without due process of law: nor deny to any person within its jurisdiction the equal protection of the law".

V.

Should this Court Grant Certiorari when the petitioner's rights were violated pursuant to the Massachusetts Declaration of Rights XI:

"Every subject to the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it: completely and without any denial: promptly and without delay".

VI.

Should this court grant certiorari when petitioner's Complaint was dismissed based on the fact, that she is residing in the Middlesex County of Massachusetts.

VII.

The inferior court erred in not placing Sanctions Against Joseph S. Provanzano & Provanzano & Associates for their wilful misconduct and violations of the Massachusetts Canon Rules.

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Petitioner, Gertrude Davis Gorod, respectfully prays that a Writ of Certiorari issue to review the inferior courts decisions and grant her the relief that is set forth in her Complaint attached (App. p. 2)

OPINIONS BELOW

The Middlesex Superior Court dismissed the action without prejudice and without costs attached (App. p. 29).

The Appeals Court remand the action back to the Middlesex Superior Court regarding timeliness of the appeal attached (App. p. 30).

The Middlesex Superior Court Order on timeliness of the appeal was remand to the Appeals Court in which it was denied attached (App. p. 32) the Appeals Court accepted its decision.

The Supreme Judicial Court For the Commonwealth of Massachusetts denied Further Appellate Review attached (App. p. 33).

JURISDICTION

October 27, 199, Supreme Judicial Court for the Commonwealth of Massachusetts denied Further Appellate Review.

The petition is filed within 90 days of the Supreme Judicial Court for the Commonwealth of

Massachusetts decision.

The Court's jurisdiction is invoked under 28 the United States Code.

UNITED STATES CONSTITUTIONAL PROVISIONS INVOLVED

The Fifth Amendment to the United States Constitution provides in pertinent part: "cannot be deprived of life, liberty, or property, without due process of law".

The fourteenth Amendment to the United States Constitution provides:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States: nor shall any State deprive any person of life, liberty or property, without due process of law: nor deny to any person within its jurisdiction the equal protection of the law".

STATEMENT OF THE CASE

The respondents, Joseph S. Provanzano and Provanzano & Associates with malice has slandered, harassed, abused, embarrassed and humiliated the petitioner by accusing her of being an administrator, paying for other individuals funerals.

Petitioner, Gorod, has never been an administrator to the estate of David Miller.

Petitioner never stole any monies from the estate of David Miller.

Petitioner never used any monies from the estate of David Miller to pay for other individuals funerals.

The respondents malicious acts have caused the petitioner damage to her character, reputation and causing her physical and emotional distress.

Edith Tabachnick is the one who stole 1.6 million dollars from the estate of David Miller and monies from the petitioner.

Edith Tabachnick is a client of Joseph S. Provanzano and Provanzano & Associates.

Respondent, Joseph S. Provanzano is continuing to slander, harass, abuse, embarrass and humiliate the petitioner.

Respondent, Joseph S. Provanzano on December 13, 1999, appeared in the Middlesex Superior Court, although he was not the attorney representing Thomas & William Zoll nor was he called as a witness, Zolls were acting Pro Se.

Respondent, Joseph S. Provanzano went before Judge Zobel and continued to make the same statements which compelled petitioner to take this action.

May 19, 1997, Complaint was filed in the Middlesex Superior Court against Joseph S. Provanzano and Provanzano Associates attached (App. 1).

May 21. 1997, Summons and Complaint was served upon the respondents. Chester A. Mazer, Deputy Sheriff, experienced an incident, during the serving of the Summons and Complaint to the respondent.

Chester A. Mazer's Incident Report is as follows:

"On Wednesday May 21, 1997, I was assigned a Summons to serve upon Joseph S. Provanzano & Provanzano & Associates, Middlesex Superior Court Docket number 97-2599 in the matter of Gertrude Davis Gorod vs. Joseph S. Provanzano and Provanzano & Associates.

At 1225 I went to 16 Bourbon Street Suite-C and told the secretary that I was Deputy Sheriff Mazer and that I needed to see Mr. Provanzano.

The secretary invited me into the main office from the foyer and told me that she would get Mr. Provanzano for me.

She then proceeded to an office down the hall where she announced me to Mr. Provanzano. Upon hearing who I represented I heard the gentleman in the office tell the secretary to tell me

that he was not here whereapon the secretary told me that Mr. Provanzano was not there and asked me to leave the main office and enter the foyer.

I told the secretary (an African American Woman) that I had to leave the papers and placed them in her hands. She told me that she did not want to accept them, and I advised her that she had been officially served.

As I left the building I noticed a Cadillac sedan that I suspected belonged to Mr. Provanzano and I noted the registration plate number and the vehicle is registered to Mr. Provanzano".

s/ Chester A. Mazer

ATTACHED (App. p. 5)

Respondents did not file an answer to the Petitioner's Complaint.

Respondents answer was for "Agency Rent A Car, Inc. attached (App. p. 6).

June 18, 1997, petitioner filed Motion For Judgment Against Defendants for failure to answer plaintiff's attached (App. 7) the inferior court denied this motion.

Petitioner filed a Motion For Judgment Against the Respondents for failure to answer questions during the taking of respondent's deposition.

In addition, respondent, Joseph S. Provanzano acted in bad faith, reading a newspaper

during the taking of his deposition although he was requested to put the newspaper away. In addition, he appeared in shorts with his shirt opened exposing his chest. (To appellant's knowledge the court did not rule on that motion).

Plaintiff filed a Motion For Perjury charges Against Joseph S. Provanzano for telling falsehoods to the court (To the Petitioner's knowledge the court did not rule on that motion).

September 29, 1997, the Complaint was dismissed without prejudice and without costs, Margot Botsford, J.

October 20, 1997, petitioner filed her Notice of Appeal in the Midlesex Superior Court.

Approximately two years after the Appellants Briefs, appendices and transcripts along with Appellant's Reply Briefs were filed in the Appeals Court, petitioner was notified that the action was remand to the Middlesex Superior Court, pertaining to the timeliness of appeal.

There was a hearing on timeliness of appeal, after hearing in Middlesex Superior Court case was dismissed.

The petitioner filed for Appellant's Application For Further Appellate Review.

The Massachusetts Supreme Judicial Court denied Further Appellate Review (App. p. 33).

Now the issues are before this Honorable Court for review.

ARGUMENT

REASONS FOR GRANTING THE PETITION

I. CERTIORARI SHOULD BE GRANTED TO PROTECT THE PUBLIC INTEREST OF INDIVIDUALS RESIDING IN NORFOLK AND MIDDLESEX COUNTIES IN THE COMMONWEALTH OF MASSACHUSETTS

Masschusetts Rules of Appellate Procedure Rule 4. states in pertinent part: "Notice of Appeal shall be filed with the clerk of the lower court within thirty (30) days of the day of the entry of the judgment"

However, individuals residing in Middlesex and Norfolk counties are being discriminated when the Commonwealth of Massachusetts now has a new special law only effecting the residents of Middlesex and Norfolk counties in the Commonwealth of Massachusetts.

St. 1996 c 358 § 5 & 6: residents in the Middlesex and Norfolk counties can only file a claim in the Superior Court if its over $25,000. Residents in the Middlesex and Norfolk County have only seven days to file an Notice of Appeal, in spite of the fact that Massachusetts Appellate Procedure Rule 4, clearly states they have 30 days to file an Notice of Appeal.

In addition, other counties in Massachusetts one can file a claim if the damages are $15,000. and have 30 days to file an Notice of Appeal.

Massachusetts st. 1996 c. 358 § 5 & 6 is completely unconstitutional as it violates

the United States Constitution Rights of citizens residing in Middlesex and Norfolk Counties in the Commonwealth of Massachusetts.

There are fourteen (14) counties in the Commwealth of Massachusetts and the public filing actions in Middlesex and Norfolk counties are being discriminated against as they are not receiving the same rights as the rest of the twelve (12) counties in the Commonwealth of Massachusetts.

Due process of law is a fundamental, constitutional guarantee that all proceedings be fair and equal protection of the law guarantees that no state shall deprive any person the right to equal protection under the law.

However, this is not the case in the Courts of Massachusetts.

The public filing actions in the Middlesex and Norfolk Counties are entitled by law the same rights as the other counties in the Commonwealth of Massachusetts.

II. SHOULD THIS COURT GRANT CERTIORARI WHEN THE PETITIONER'S RIGHTS SET FORTH IN THE MASSACHUSETTS RULES OF CIVIL PROCEDURE WERE VIOLATED

May 22, 1997, Deputy Sheriff, Chester A. Mazer served upon the respondents the Complaint and Summons of the petitioner, Gertrude Davis Gorod.

Respondent had twenty (20) days to answer petitioner's Complaint, however, he did not answer the petitioner's Complaint (App. p. 3).

Instead, the respondents continued their acts of harassment and filed **ANSWER AND DEFENSES OF AGENCY RENT A CAR, INC.** (App. p. 6).

Therefore, since the respondents did not answer the petitioner's Complaint within twenty (20) days after service, petitioner is entitled to judgment by default as a matter of law.

The inferior court erred in denying petitioner's Judgment Against the respondents for failure to answer petitioner's Complaint within twenty (20) days as prescribed by law.

Pursuant to Massachusetts Rules of Civil Procedure Rule 30, on June 26, 1997, the petitioner scheduled the taking of the respondent, Joseph S. Provanzano's deposition also included a Duces Tecum at the office of Doris O. Wong Associates, Inc. 50 Franklin Street Boston, Massachusetts.

Respondent, Provanzano acted in bad faith, he was arrogant and refused to answer questions that were posted to him knowingly and wilfully obstructed justice. He refused to furnish requested documents. He continued to read a newspaper during the taking of his deposition although he was requested to put the newspaper away.

Respondent, Provanzano harassed and embarrassed the petitioner by making statements that did not pertain to the issues of this action.

Respondent, Provanzano appeared dressed wearin shorts and an open shirt exposing his chest which was despicable.

Excepts from respondent, Joseph S. Provanzano's Depostion:

GOROD: I think you should have a little respect would you please put your newspaper away. (App. p.14 line 11).

PROVANZANO: If that's a question, the answer is no. (App. p. 14 line 13).

GOROD: I would like----I would respectfully--have you ever heard of anyone reading a newspaper during the taking of a deposition? (App. p. 15 line 22).

PROVANZANO: Is that a question, ma'am?(App. p. 15 line 25).

GOROD: I'm asking you.....(App. p. 15 line 26).

PROVANZANO: Do you have a question? (App. 15 line 27).

GOROD: That's what I'm asking you-when you take the deposition of people, do they read a newspaper? (App. p. 16 line 3).

PROVANZANO: Objection. I don't see any relevancy to that particular question? (App. p. 16 line 14).

GOROD: Are you going to answer the question? (App. p. 16 line 6).

PROVANZANO: I believe I just did. (App. p. 16 line 7).

PROVANZANO: Do you have a question, ma'am? What was the question? (App. 16 line 9).

GOROD: Yes, I do. In taking of your depositions has anybody ever read a newspaper during the taking of a deposition? (App. p. 16 line 11).

PROVANZANO: I'm objecting to the form of question, it's relevance as it's not reasonably likely to lead to discoverable material during the course of the deposition (App. p. 16 line 14).
GOROD: Are you going to answer the question?. (App. p. 16 line 18).
PROVANZANO: No, ma'am, absolutely not. (App. p. 16 line 19).

Mr. Provanzano Notice of Taking Deposition also included requested documents Duces Tecum.
GOROD: Did you bring your documents with you? (App. p. 12 line 15).
PROVANZANO: Absolutely not. (App. p. 12 line 16).
GOROD: Have you ever had any Complaints filed with the Baroverseers in regard to your misconduct? (App. p. 17 line 20).

PROVANZANO: Yes ma'am. (App. p. 17 line 21).
GOROD: How many have you had? (App. p. 17 line 22).
PROVANZANO: I believe it's been two. (App. p. 18 line 1).

GOROD: It is relevant to the proceedings. (App. p. 20 line 1).
PROVANZANO: Show us how. (App. p. 20 line 2).
GOROD: Because you are harassing and lying to the Court. You are violating your oath. Are you answering the question or not? (App. p. 20 line 3).

PROVANZANO: No ma'am. Absolutely not (App. p. 20 line 6).

GOROD: I'm not going to go through this hassle again, Either you're going to conduct yourself as a human being or we'll stop it right now.

respondent made the deposition oppressive and after twenty-five minutes the petitioner was compelled to stop the deposition.

SEE LLOYD v. CESSNA AIRCRAFT CO. 74 F.R.D. 518, at the taking of a deposition, the witness will be examined and crossed-examined by counsel for the parties in the same fashion as at a trial, with one important exception. If there is objection, the reporter will simply note the objection in the transcript and the witness will answer the question despite the objection. **INTERNATIONAL, UNION OF ELECTRICAL, RADIO AND MACHINE WORKERS, AFL CIO AND ITS LOCAL 186 v. WESTINGHOUSE ELECTRIC CORPORATION** 91 F.R.D 277.

If anything, interference with the access to witnesses is worse since it presents a grave threat to the adversary system we depend on for the fair resolution of disputes **SEE SHAPIRO v. FREEMAN** 38 F.R.D. 308.

IN, BANCO NACTIONAL DE CREDTP EKODAL, v. BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION 11 F.R.D 497 and **DEEFIELD v. BLOCKDEL REALTY CO.** 40 F. Supp. 212 S.D.N.Y., state objections answer questions.

SEE STROM v. AMERICAN HONDA MOTOR CO. INC. 667 N.E.2d 1137 Rules of the Massachusetts Rules of Civil Procedure 365 Mass 792, allows a party to seek documents of the opposing party. This rule is identical to Federal Rules of Civil procedure rule 34. This is a question of considerable importance to the practical administration of discovery in courts and we have never addressed. "Because the Massachusetts Rules of Civil Procedure are patterned after the Federal Rules we interpret our rules consistently with the construction given their counterparts SOLIMENE v. GRAUEL & CO. KG 399 Mass. 790, 800, 507 2d 662.

The early pronouncements of the Supreme Court of the United States have provided the touchstone for interpreting the discovery rules.

The Supreme Court of the United States has stated that modern instruments of discovery serve a useful purpose...They together with pretrial procedures make a trial less a game of blindman's bluff and more a fair contest with the basic issues and facts disclosed to the fullest practicable extent. SEE UNITED STATES v. PROCTER & GAMBLE CO. 356 U.S. 677, Discovery is one of the working tools of the legal profession ... It seems clear and long has been recognized that discovery should provide a party access to anthing that is evidence in his case".

In, HICKMAN v. TAYLOR 329 U.S. 495, 515. The deposition-discovery rules are to be accorded abroad and liberal treatment. No longer can

the time-honored cry of "fishing expedition" serve to preclude a party from inquiring into facts underlying his opponent's case. Mutual knowledge of all the relevant facts gathered by both parties is essential to proper litigation."

Based on the following facts and evidence as a matter of law Judgment Against the respondents should have been ordered by the court, Judgment Against respondent, Joseph S. Provanzano for failing to answer questions set forth to him during the taking of his deposition.

Judgment against the respondents to answer the petitioner's Company.

Judgment Against the respondents for failure to produce requested documents to the petitioner.

The Massachusetts Courts have a judiciary duty to see that justice is served and Massachusetts Rules of Civil Procedures are enforced.

However, the inferior court erred in not performing their judiciary duty and failed to enforce any Massachusetts Rules of Civil Procedures.

The inferior Court erred when it did not order Jugment Against the respondents for failure to answer the Petitioner's Complaint.

The inferior Court erred when it did not order Judgment Against respondent Joseph S. Provanzano for failure to answer questions during the taking of his deposition (App. p. 12 thru 28).

The inferior Court erred when it did not order Judgment against the respondents for failure to produce requested documents.

The inferior Court made a mockery out of justice when it defied every rule of discovery as set forth in Massachusetts Rules of Civil procedure.

The petitioner suffered a miscarriage of justice by the inferior court making a mockery out of the Massachusetts Judicial System.

III. SHOULD THIS COURT GRANT CERTIORARI WHEN THE PETITIONER'S RIGHTS SET FORTH IN THE UNITED STATES CONSTITUTION WERE DENIED

Petitioner was deprived of her Constitutional Rights when she was denied discovery, every one in the state of Massachusetts has the right to discovery, there is no one filing a claim in the state of Massachusetts that is denied discovery.

Petitioner is the only one in the Commonwealth of Massachusetts that was denied due process of law and equal protection of the laws.

The United States Constitution Amendment V: states in pertinent part: "cannot be deprived of life, liberty, or property. without due process of law".

The United States Constitution Amendment XIV; "All persons born or naturalized in the United States, and subject to the Jurisdicton thereof. are citizens of the United States and of the

State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States: nor shall any State deprive any person of life, liberty or property, without due process of law: nor deny to any person within its jurisdiction the equal protection of the laws.

Therefore, it is prayed that this Honorable Court correct the injustice placed upon the petitioner by depriving her of her Constitutional Rights.

IV. SHOULD THIS COURT GRANT CERTIORARI WHEN THE PETITIONER'S RIGHTS WERE VIOLATED PURSUANT TO THE MASSACHUSETTS DECLARATION OF RIGHTS XI

MASSACHUSETTS DECLARATION OF RIGHTS XI:

"every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it: completely and without any denial: promptly and without delay".

Petitioner does not have a recourse for all wrongs and damages done to her character etc., petitioner did not obtain justice because she resides in the Middlesex County.

She was obliged to purchase it at a costs of $185.00 and she did not receive justice without denial.

Petitioner was deprived of her rights as set forth in the Massachusetts Declaration of Rights Article XI.

V. SHOULD THIS COURT GRANT CERTIORARI WHEN THE PETITIONER'S COMPLAINT WAS DISMISSED BASED ON THE FACT, THAT SHE IS RESIDING IN THE MIDDLESEX COUNTY OF MASSACHUSETTS.

Massachusetts Rules of APPELLATE PROCEDURE

Rule 4, States in pertinent part "the notice of appeal required by Rule 3 shall be filed with the clerk of the lower court within thirty days of the date of entry of the judgment....".

September 29, 1997, the inferior court dismissed the action.

October 20, 1997, the petitioner filed her Notice of Appeal, therefore, petitioner's Notice of Appeal was filed within thirty days of the court's entry of judgment.

Massachusetts st. 1996 c. 358 § 5 and 6 is completely unconstitutional as it violates the United States Constiution.

It violated the Massachusetts Constitution.

It clashes with Massachusetts Declaration of Rights Article XI.

Petitioner's action was dismissed solely on the fact that she resides in the Middlesex county, if she resided in the another county besides Middlesex her action would not have been dismissed.

The public filing actions in the Middlesex and Norfolk counties are entitled by law to have the same laws and rights as the rest of the counties in the Commonwealth of Massachusetts and the Commonwealth of Massachusetts has no right whatsoever to make different laws for them.

VI. THIS COURT SHOULD GRANT CERTIORARI WHEN THE INFERIOR COURT ERRED IN NOT PLACING SANCTIONS AGAINST THE RESPONDENT JOSEPH S. PROVANZANO FOR COMMITING PERJURY

Respondent, Joseph S. Provanzano committed perjury when he made the following statement to the court under the penalties of perjury:

June 3, 1997, interrogatories were served upon the...." "and that party interrogated has failed to serve a copy of the Answers thereto within forty-five days or..."

These statements made by the respondent, Joseph S. Provanzano under the penalties of perjury is false as the court can clearly see there is no Certificate of Service when these interrogatories were served upon the petitioner.

The petitioner received interrogatories from the petitioners on July 8, 1997 not June 3, 1997, as stated by the respondent, Joseph S. Provanzano under the penalties of perjury.

Therefore, forty-five days had not passed since the interrogatories were served upon the petitioner as stated by the respondent, Provanzano under the penalties of perjury.

The respondent, Provanzano committed perjury to both the court and the petitioner.

August 14, 1997, the respondent, Provanzano lied to the court and made the following statement "which has been filed pursuant to Massachusetts Rules of Civil Procedure, Rule 9 (a) and to which there has been no opposition timely received".

Petitioner received respondent's motion on July 30, 1997, which was postmarked July 28, 1997. there, petitioner has 10 days to oppose the respondent's motion which complied, since the respondent received her opposition on August 5, 1997, it was timely.

However, the respondent, Joseph S. Provanzano lied to the court and obstructed justice because he knowingly and wilfully failed to forward petitioner's opposition to the court.

Respondents, lied to the court and obstructed justice because he stated that he complied with Massachusetts Rules of Civil Procedure 9A.

The respondent, Provanzano did not comply with Massachusetts Rules of Civil Procedure Rule 9A.

The facts and evidence clearly shows that respondent, Provanzano does not tell the truth, therefore, he has violated both the Canon Rules and the Attorney's Oath.

Based on the facts and evidence the inferior court missed its mark in not placing Sanctions against respondent, Joseph S. Provanzano for committing perjury.

Respondent, Joseph S. Provanzano has two Complaints filed against him with the Massachusetts Board of Baroverseers.

Respondent, Provanzano should be disbarred from practicing law in Massachusetts and throughout the United States.

No one is above the law not even the president of the United States of America **JONES v. CLINTON L.R.C. 94-290.**

Now the respondent, Joseph S. Provanzano is engaged in making threats against the petitoner, Gorod, along with his friends Thomas and William Zoll of 24 Weir Street Taunton, Massachusetts.

CONCLUSION

WHEREFORE, Petitioner, Gertrude Davis Gorod respectfully prays that a Writ of Certiorari issue to review the inferior courts' decisions and correct the miscarriage of justice inflicted upon the petitioner and any other relief the Honorable Court deems appropriate.

Respectfully Submitted

Gertrude Davis Gorod

Gertrude Davis Gorod
371 Bryant Street
Malden, Ma 02148
(781) 322-8223

App. 1

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss. SUPERIOR COURT

GERTRUDE DAVIS GOROD, Plaintiff

vs.

JOSEPH S. PROVANZANO and
PROVANZANO & ASSOCIATES,
DEFENDANTS

COMPLAINT

1) Plaintiff Gertrude Davis Gorod 371 Bryant Street Malden, Massachusetts County of Middlesex.

2) Defendants Joseph S. Provanzano and Provanzano & Associated both located at 16 Bourbon Street Suite C Peabody, Massachusetts County of Essex.

Facts

3) The defendant Joseph S. Provanzano with malice has slandered, harassed, abused, embarrassed, and humiliated the plaintiff. The defendant Joseph S. Provanzano and Provanzano & Associates have filed frivolous legal actions in the Courts involving the plaintiff.

App. 2

Cause of Action

4) The defendant Joseph S. Provanzano with malice has slandered, harassed, abused, embarrassed the plaintiff causing damaged to her character, reputation and both physical and emotional distress.
Provanzano & Associates filed frivolous legal actions to hurt and harm the plaintiff.

Relief From The Court

A) Wherefore, the plaintiff requests the sum of $6,000,000.00 for her physical and emotional distress along with defamation of her character, and reputation.

B) All legal costs and legal fees, and any other relief the court deems appropriate.

THE PLAINTIFF REQUESTS TRIAL BY JURY.

By,
S/ Gertrude Davis Gorod
371 Bryant Street
Malden, Massachusetts
02148

App. 3

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX ss
(seal)

SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION

No. 97-2599

Gertrude Davis Gorod, Plaintiff

v.

Joseph S. Provanzano &

Provanzano & Associates,

Defendants

SUMMONS

To the above-named Defendants:

You are hereby summoned and required to serve upon Gertrude Davis Gorod, plaintiff whose address is 371 Bryant Street Malden, Ma 02148 an answer to the complaint which is herewith served upon, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so judgment by default will be taken against you for the relief demanded in the Complaint. You are also required to file your answer to the Complaint in the office of the Clerk of this court at Middlesex Superior Court Cambridge, Mass. either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state a counterclaim which you may have against the plaintiff which arised out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in an other action.

Witness, Robert A. Mulligan, Esquire at Cambridge, Massachusetts the 19th day of May in the year of our Lord one thousand nine hundred and ninety-seven.

S/ Edward J. Sullivan,
Clerk

ESSEX COUNTY SHERIFF'S DEPARTMENT P. O. BOX 2019
Salem, Ma 01970 508-750-1900 ext 590

Essex, ss

May 22, 1997

I hereby certify and return that on 5/21/97 at 12:25 PM I served a true and attested copy of the summons and complaint in this action in the following manner: To Wit, by delivering in hand to Secretary, agent, person in charge at the time of service for Provanzano, Joseph S., 16 Bourbon Street Suite 5/21/97, Fees: Service $15.00, Conveyance $1.50, Attest $4.00, P&H $1.95, Travel $4.15 Total Fees $26.60.

Deputy Sheriff Chester Mazer S/ Chester A. Mazer

On Wednesday May 21, 1997 I was assigned a Summons to serve upon Joseph S. Provanzano & Provanzano & Associates, Middlesex Superior Court Docket Number 97-2599 in the matter of Gertrude Davis Gorod Vs. Joseph S. Provanzano & Provanzano & Associates.

At 1225 hours I went to 16 Bourbon Street Suite C and told the secretary that I was Sheriff Mazer and that I needed to see Mr. Provanzano. The secretary invited me into the main office from the foyer and told me that she would get Mr. Provanzano for me. She then proceeded to an office down the hall where she announced me to Mr. Provanzano.

Upon hearing who I represented I heard the gentleman in the office tell the secretary to tell me that he was not here whereapon the secretary told me that Mr. Provanzano was not there and asked me to leave the main office and enter the foyer.

I told the secretary (an African American Women) that I had to leave the papers and I placed them in her hands. She told me that she did not want to accept them, and I advised her that she had been officially served.

As I left the building I noticed a Cadillac sedan that I suspected belonged to Mr. Provanzano and I noted the registration plate number of K910.

I traced the plate number and the vehicle is registered to Mr. Provanzano.

S/ Chester A. Mazer
Deputy Sheriff

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss. Superior Court
No. 97-2599

Gertrude Davis Gorod,
Plaintiff

- vs. -

Joseph S. Provanzano, -and-
Provanzano & Associates (SIC),
Defendants,

ANSWER AND DEFENSES
OF AGENCY RENT A CAR, INC.
REQUEST FOR TRIAL BY JURY IN THE SUPERIOR COURT

1.) Defendant (s) neither admit or deny the allegations of this paragraph as Defendant (s) have insufficient information to do so. The Plaintiff is called upon to prove same.

2.) Defendant (s) admit the allegations as concerns Joseph S. Provanzano, and further answer the Joseph S. Provanzano does business as Provanzano & Associates and thus, any allegation or action against said entity is improper.

3.) Defendant (s) deny the allegation of the paragraph. The allegations of the paragraph are vague and fail to state sufficient facts to place the defendant (s) on notice as to what acts or actions are actually being complained about. The claims

App. 7

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT
CIVIL ACTION
NO. 97-2599

GERTRUDE DAVIS GOROD,
PLAINTIFF
VS.
JOSEPH S. PROVANZANO &
PROVANZANO & ASSOCIATES,
DEFENDANTS

PLAINTIFF'S MOTION FOR JUDGMENT AGAINST DEFENDANTS JOSEPH PROVANZANO AND PROVANZANO AND ASSOCIATES

Now comes the plaintiff, Gertrude Davis Gorod, in the above-cited action and moves the Court for Judgment against the defendants Joseph S. Provanzano and Provanzano and Associates.

(1) Defendants did not answer plaintiff's Complaint, therefore, plaintiff is entitled to Judgment by Default.

MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION FOR JUDGMENT AGAINST DEFENDANTS JOSEPH PROVANZANO AND PROVANZANO AND ASSOCIATES

May 22, 1997, Deputy Sheriff Chester A. Mazer served upon the defendants Complaint of Gertrude Davis Gorod.

Defendants continuing to harass the plaintiff served upon her answer the defenses of Agency Rent a Car, Inc. (plaintiff's Exhibit "A" affixed hereto:)

Therefore, since defendants did not answer Complaint the plaintiff is entitled to judgment by default as prescribed by law.

Based on the foregoing facts and evidence the the plaintiff moves the Court to find judgment against the defendants.

By,
s/Gertrude Davis Gorod
371 Bryant Street
Malden, Ma 02148

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss. Superior Court
NO. 97-2599

****
Gertrude Davis Gorod, *
Plaintiff *
*
- vs. - *
Joseph S. Provanzano -and- *
Provanzano & Associates (SIC), *
Defendants *
****

ANSWER AND DEFENSES
OF AGENCY RENT A CAR, INC.
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App. 10

Mark F. Berch
Attorney At Law
45 Braintree Hill Office Park
Braintree, Ma 02184

March 26, 1990

David T. Gay, Esq.
Gay and Gay
73 Washington St.
Taunton, Ma 02780

In Re: Estate of David Miller

Dear Mr. Gay:

With regard to the above matter I am Requesting that your client Edith Tabachnick provide my office with the deed and keys to the real estate in Raynham and the keys title and registration to the motor vehicle.

Additionally for the items that Ms. Tabachnick has stated that she removed from the property after Mr. Miller's death, I require a full accounting and itemization of everything.

I would like to know the complete name and address of all persons who accompanied your client into the house when these items were removed. At this time I am attempting to collect the estate's property and the cooperation of your client is essential for me to achieve this purpose.

Kindly contact my office at your earliest convenience to further discuss this matter.

Very truly yours,
S/ Mark Berch

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COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Superior Court Deparment
of the Trial Court
Civil Action No. 97-2599

GERTRUDE DAVIS GOROD,
Plaintiff,
vs.
JOSEPH S. PROVANZANO &
PROVANZANO & ASSOCIATES,
Defendants.

DEPOSITION OF JOSEPH S. PROVANZANO, a witness called on behalf of the Plaintiff, taken pursuant to Rule 30 of the Massachusetts Rules of Civil Procedure, before Doris O. Wong, Registered Professional Reporter and Notary Rublic in and for the Commonwealth of Massachusetts, at the offices of Doris O. Wong Associates, Inc., 50 Franklin Street, Boston, Massachusetts, on Thursday, June 26, 1977, commencing at 10:00 A. M.

PRESENT:

Gertrude Davis Gorod
371 Bryant Street, Malden, Ma 02148

(No one appeared on behalf of the defendants)

PROCEEDINGS

MS. GOROD: This is the case of Gertrude Davis Gorod versus Joseph S. Provanzano and Provanzano & Associates are the defendants. This is in the Middlesex Superior Court Civil Action 97-2599.

JOSEPH S. PROVANZANO

a witness called for examination by the plaintiff, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. GOROD:

Q. Mr. Provanzano did you bring --

A. Provanzano, ma'am.

Q. Did you bring your documents with you?

A. Absolutely not.

Q. Are you aware that the notice says ducem tuces?

A. I'm aware that the notice didn't comply with the Massachusetts Rules of Civil Procedure and therefore was not to be complied with.

Q. State your name.

A. Joseph Stephen Provanzano

Q. Your business address.

A. 16 Bourbon Street in Peabody.Mass.

Q. Your residence address.
A. 5 Hampton Court, Lynnfield, Massachusetts.
Q. Your date of birth.
A. April 10, 1947.
Q. Place of birth.
A. Chelsea, Massachusetts.
Q. What high school did you graduate from?
A. East Boston High.
Q. What colleges did you attend?
A. Suffolk University.
Q. What year did you graduate?
A. Don't remember.
Q. What college did you receive your JD from?
A. New England School of Law.
Q. Are you a member of the Massachusetts Bar?
A. Yes.
Q. What is your B.B.O. number?
A. 407400.
Q. What year were you admitted to the Bar?
A. 1975
Q. Did you take an oath of allegiance to the Commonwealth of Massachusetts and the United States?
A. As an officer in the military, yes.

Q. I'm going to show you a copy of the Attorney's Oath, General Laws 221, Section 38. Did you take this Oath?
A. I don't remember, ma'am,whether or not I did or did not. You would have to check with the court.
MS. GOROD: would you put these in as Identification.
(Document marked as Provanzano Exhibit 1 For indentification)
Q. I think you should have a little respect Would you please put your newspaper away.
A. If that's a question, the answer is no.
Q. Do you have a license to practice law in any other state but Massachusetts?
A. No.
Q. How long did you practice law?
A. Objection. You have already asked that Question, and it's been answered as 1975.
Q. Are you familiar with the procedures of the Massachusetts Rules of Civil Procedure?
A. Which ones are you specifically asking about ma'am?
Q. I'm asking about when a motion is submitted

to the court or a motion is in response to a motion, what is the procedure of that motion?

A. I don't know, ma'am. I'd have to look it up. I try not to memorize this stuff.

Q. According to the Rules of Civil Procedure, is it required to have a certificate of service accompanying each motion?

A. If you are referencing a specific section of a specific law, I'd be glad to reference it: otherwise, I'm not sure of the question asked.

MS. GOROD: Would you please mark this for identification please.

(Document marked as Provanzano Exhibit 2 for identification)

Q. List all members of the Provanzano Organization.

A. It's Provanzano, ma'am.

I don't know what the question was.

Q. I would like-- I would respectfully-- have you ever heard of anyone reading a newspaper during the taking of a deposition?

A. Is that a question, ma'am?

Q. I'm asking you--

A. Do you have a question?

Q. That's what I'm asking you, if you-- when you take the deposition of people, do they read a newspaper?
A. Objection. I don't see any relevancy to to that particular question.
Q. Are you going to answer the question?
A. I believe I just did.
Q. Are you going to answer the question?
A. Do you have a question, ma'am? What was the question?
Q. Yes, I do. In the taking of your depositions, has anybody ever read a newspaper during the taking of a deposition?
A. I'm objecting to the form of question, it's relevance as it's not reasonably likely to lead to discoverable material during the course of the deposition.
Q. Are you going to answer the question?
A. No, ma'am, absolutely not.
Q. Was Rocco Senese a member of the Provanzano organization?
A. I don't know what you mean by "organization" ma'am.
Q. Your Provanzano organization.

A. Provanzano is the name of my organization, ma'am. Now, what was the question?

Q. I asked you if Rocco Senese was a member of your oranization.

A. I don't understand the question.

Q. Are you going to answer the question?

A. I just did.

Q. I asked you was he a member of the organzation.

A. I don't know what that means.

Q. Where is Mr. Senese now?

A. I haven't a clue. You mean Rocco Senese?

Q That's right. Where is he now?

A. I don't have a clue.

Q. Was he a member of your organization?

A. I don't understand that question.

Q. How many attorneys are in that Provanzano organization?

A. It's Provanzano, ma'am, and I don't understand the question.

Q. Have you ever had any complaints filed with the Bar Overseers in regard to your misconduct?

A. Yes, ma'am.

Q . How many have you had?

A. I believe it's been two.
Q. Did you appear in the New Bedford Court?
A. Yes, ma'am.
Q. Before the New Bedford Court, did you inform the court that the plaintiff owned property?
A. I wouldn't have any memory of that whatsoever. The record would speak for itself.
Q. Did you state before the New Bedford Court that documents submitted by the plaintiff was typed and written by an attorney for the plaintiff?
A. I wouldn't have any memory of that, ma'am. The record would have to speak for itself.
Q. You appeared before the SJC. And before the SJC you made the statement to the court that there was a hearing in New Beford tomorrow?
A. Is that a question?
Q. Yes, it is.
A. If that's what the record would reflect, I imagine that's what the record would reflect. I don't know.
Q. What time did you appear at the Massachusetts Supreme Court on the 24th?
A. I don't ---sometime in the morning.
MS. GOROD: Could you please mark this for indentification for me, please.
(Document marked as Provanzano Exhibit 3 for identification)

MS. GOROD: And would you mark this for indentification.

(Document marked as Provanzano Exhibit 4 for identification)

Q. When you addressed the SJC, did you make the statement that Edith Tabachnick was in California and was unable to have her deposition taken?

A. Not in that context, no.

Q. When you addressed the SJC, did you state that Edith Tabachnick took out her clothing and a picture?

A. Took out her clothing and a picture from

Q. From the residence of David Miller.

A. I would object to the form of the question. It has no bearing on these proceedings not is it likely to lead to any discoverable material in these proceedings.

Q. Are you going to answer the question?

A. Not unless it's shown to be relevant to the proceedings at Bar.

Q. It is relevant to the proceedings.
A. Show us how.
Q. Because you are harassing and lying to the Court. You are violating your oath. Are you answering the question or not?
A. No, ma'am. Absolutely not.
Q. All right, That's perfectly all right--
A. I'm sure it is.
Q. --because there will be a motion for a motion for a judgment against you. You are harassing the same way you did before, which got you in this mess in the first place.
A. Is that a question, ma'am?
Q. When you addressed the SJC--
A. Was that a question?
Q. I'm asking the questions.
A. Then I move to strike any statements on the record that are not questions. this is a deposition. It's a question and answer session.
Q. I'm not going to go through this hassle again. Either you're going to conduct yourself as a human being or we'll stop it right now.
A. For the record--

Q. When you addressed---
A. For the record, let the record reflect--unless this is being recorded--that Mrs. Gorod is using a rather loud tone at this point in time.
MS. GOROD: I want that stricken, please. He's being rude, reading newspapers. He's filibustering the deposition, which is supposed to be with courtesy and politeness.
Q. I'm getting the same harassment. That's why you are in court.
When you addressed the SJC, you stated that the defendants are pro se with attorneys in the background, isn't that a fact?
A. No. That was not stated that way at all nor is it reasonably relevant to these proceedings.
This proceeding seems to deal with some unknown suit that seems to exist in your mind, not reasonably related to any particular action.
Q. I'm going to stop this. I'm getting harassed again.
There's just one other question I'm going to ask you If you don't behave yourself, it's going to be stopped.
A. Is that a question?

Q. I'm telling you, it's a statement. I'm not going to put up with this harassment from you.

A. Let me answer your statement, ma'am. So far you have already had one matter thrown out by Judge Hiller Zobel in the Superior Court. He made it clear to you at that particular point in time how depositions are question-and-answer sessions. You understood that clearly. If you want to go before the Superior Court--

Q. This is a continuation--just a minute. Stop it.

A. Is that a question, ma'am?

Q. Stop that. I'm not going to put up with your harassment any longer. Either you are going to answer my questions or you leave.

A. I believe I did answer your question, ma'am.

Q. When you addressed the SJC, did you accuse the appellants of stating that they said that they said that you stole $500,000 from them?

A. No, ma'am, that's a misstatement.

Q. Did you before the SJC state that the selling price of the property was listed as $29,000?

A. No ma'am.
Q. All right. Did you state to the SJC that the appellants want to sell the property to their friends?
A. I have no memory of that right now.
Q. On April 25, 1996 (SIC), were you the attorney representing Edith Tabachnick at the deposition?
A. At what deposition?
Q. At her deposition on April 25, 1997?
A. I don't know what deposition you are referencing, ma'am. What action are you talking about?
Q. I'm talking about the action against Edith Tabachnick which is on appeal.
A. I don't know what action you are referencing, ma'am. I don't know what relevance it has to this action.
Q. You just stated it before to Judge Zobel. You just made a statement.
A. Is that the action you're referencing, ma'am?
Q. That is the action.
A. What was the question?

Q. On April 25, 1997, were you the attorney representing Edith Tabachnick at the taking of her deposition?
A. I don't remember any particular date, ma'am.
Q. During the taking of Edith Tabachnick's deposition, did you inform her she could answer if she so desired?
A. I wouldn't remember one way or another.
Q. During the taking of the deposition of Edith Tabachnick, did you say, "No, she is not going to answer the question"?
A. Wouldn't remember one way or another, ma'am.
Q. Did Judge Zobel inform you that attorneys do not tell their clients not to answer questions during the depositions?
Don't have any memory of that one way or another, ma'am.
Q. Did you have the following -- did you make the following statement. "The plaintiff should know that she is the person in charge of the estate of David Miller and that her brother Mr. Davis has been removed from his administrative acts with her in the handling of the estate of David Miller and this was something that she was privy to"?

A. I don't have any memory of that one way or another, ma'am, nor would I know what bearing it has to do with your allegation that I filed some mythical suit against you somewhere.

Q. Name the individuals who you informed that Edith Tabachnick was the administrator of the estate of David Miller.

A. I wouldn't have any names of anyone that I ever did any such thing with.

Q. During the trial regarding this action, who are you going to have as witnesses?

A. I don't know, ma'am. As of this particular point in time, we have not been able to make any sense out of the complaint. We've been unable to identify any alleged action which you claim was supposedly filed.

Q. Would you please stop this. This is harassment. I don't want to hear you--

A. I'm directly answe-ing your question. If you want to go to court and face charges or penalties--

Q. I want to stop-I'm not going to be harassed any more.

A. I Would like--
Q. It's over, I'm stopping.
A. It says on the record unless both of us agree to go off the record. I want to go off the record. I want to finish answering the question.
Since we have been unable to identify what action you allege was filed against you and we have not been able to find any action allegedly filed against you, it's impossible to determine who will be called as witnesses to defend the so-called mythical action that you allege in your complaint.
Q. Will you stop.
A. That's the answer to the question.
MS. GOROD: I am going to file a motion for Judgment for harassment, refusing to answer the questions.
He was informed that it is up to the court to decide whether the question will be used at time of trial. All questions are to be answered. He refused it. I'm not going to be harassed any further. This is closed.
A. Are you done asking questions. ma'am?
Q. I'm through with you.

A. Are you done asking questions?
Q. Yes, I am. I told you I closed it. You are free to go.
A. Terrific.
MR. PROVANZANO, Send us a copy of the deposition. I'm sure we will have to go before the court and have this action thrown out as well. Nice seeing your again, ma'am.
MS. GOROD: Please note his attire that he came with.

(Whereupon the deposition was concluded at 10:25 A. M.)

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

I, Doris O. Wong, Registered Professional Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that there came before me on the 26th day of June 1997, at 10:00 A. M., the person hereinbefore named who was by me duly sworn to testify to the truth and nothing but the truth of his knowledge touching and concerning the matters in controversy in this cause, that he was thereupon examined upon his oath, and his examination reduced to typewriting under my direction, and that the transcript is a true record of the testimony given by the witness.

I further certify that I am neither attorney or counsel for, nor related to or employed by, any attorney or counsel employed by the parties hereto or financially interested in the action.

In witness whereof, I have hereunto set my hand and affixed my notarial seal this 1st day of July, 1997.

s/ Doris Wong
Notary Public

SEAL My commission expires 11/20/03

DORIS O WONG ASSOCIATES

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF MIDDLESEX
THE SUPERIOR COURT

CIVIL ACTION NO. MICV97-2599

Gertrude Davis Gorod

vs.

Joseph S. Provanzano
Provanzano & Associates

Judgment of Dismissal

(Pursuant to St. 1996. c. 358, s. 5)

This action came on for hearing before the Court, Margot Botsford, Regional Adminstrative Justice, presiding, and the parties having been heard and the Court having considered the Statement of Damages and the written responses of the parties the court having rendered findings that there is no reasonable likelihood that recovery by the Plaintiff will exceed $25,000.

It is ordered and adjudged:

That the complaint be and hereby is dismissed without prejudice and without costs.

Dated 09/29/97

By the Court Margot Botsford,
Regional Administrative
Justice

No Signature

No Signature James J. Lynch III, Asst Clerk

COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT

No. 97-2290

Gertrude Gorod

vs.

Joseph S. Provanzano

ORDER

The above-captioned matter is vacated as having been entered in error. The appeal was taken pursuant to M.G.L. c. 358, sec 1 et seq. from a judgment of dismissal entered September 29, 1997, in Middlesex Superior Court Civil Action No. 97-2599. Pursuant to that statute, an appeal lies to the single justice of the Appeals Court, not to a panel of the Appeals Court. Accordingly, the appeal is vacated as having been entered in error and is this date entered on the single justice docket of the Appeals Court as 98-J-662. G.L.c. 358, sec. 6, provides that "upon being notified of the dismissal, a party shall have seven days thereafter to file a notice of appeal within three days of receipt of such notice, the judge who approved the dismissal set forth written findings and reasons justifying such dismissal, which document shall be part of the record on appeal appears to be untimely, as the judgment entered on September 29, 1997, and the Notice of Appeal was filed with the Superior Court on October 20, 1997. Accordingly, the matter is remanded to the Superior Court for determination.

of the timeliness of the appeal.
Should it be determined that the notice of appeal was timely filed the Superior Court shall make written findings justifying dismissal pursuant to the statute.

By the Court,
s/ Lena M. Wong
Assistant Clerk

Entered: September 17, 1998

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS SUPERIOR COURT
CIVIL ACTION
NO. 97-2599

GERTRUDE DAVIS GOROD

v.

JOSEPH S. PROVANZANO

ORDER ON TIMELINESS OF APPEAL UNDER G.L. c.358, SEC. 6

Pursuant to an order of the Appeals Court dated September 17, 1998, this Court held a hearing on November 17, 1998, for the purpose of determining the timeliness of plaintiff's appeal of a judgment of dismissal entered pursuant to G.L. c. 358 on September 29 , 1997. Present were the plaintiff and defendant, both appearing pro se. After hearing, I find and rule as follows.

Notice of the judgment of dismissal, entered on September 29, 1997, issued by mail on or about that date. Plaintiff stated that she received the notice, but she does not recall when she received it because she was traveling, and was busy preparing for "the holidays." I find that plaintiff received that notice in the ordinary course, and not later than one week after it was mailed. Plaintiff therefore had seven days from October 6, 1997 within to file a notice of appeal to the single justice. She did not file her notice until October 20, 1997. Accordingly, her notice of appeal was not timely filed, and the judgment of dismissal shall stand.

Dated: November 18, 1998 s/Stephen E. Neel, J

SUPREME JUDICIAL COURT FOR THE COMMONWEALTH OF MASSACHUSETTS

1412 Courthouse, Boston, Massachusetts 02108

Gertrude Davis Gorod
371 Bryant Street
Malden, Ma 02148

Re: Docket No. FAR-10862

Gertrude Davis Gorod

vs.

Joseph S. Provanzano & another

NOTICE OF DENIAL OF F.A.R. APPLICATION

Please take note that the above-captioned Application for Further Appellate Review has been considered by the Court and is denied.

Typed Susan Mellen, Clerk

Dated: October 27, 1999
To: Gertrude Davis Gorod
Joseph S. Provanzano, Esquire